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Trade in Amer. p.

THE CONSTITUTIONAL RIGHT OF THE LEGISLATURE OF GREAT BRITAIN, TO TAX the BRITISH COLONIES IN AMERICA, IMPARTIALLY STATED.

In a province, if the native that is rich be admitted to power the power grows up native, and overtops the foreign: therefore you must either not plant your citizens in your provinces, where in time they will become native; or so planting them, neither trust them with power nor with arms.

HARRINGTON.

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M DCC LXVIII.

INTRODUCTION.

THE following letters were written from one friend to another, at the time when the repeal of the American ſtamp act was under conſideration. The two firſt were ſhewn to ſome moſt reſpectable perſons then in the adminiſtration: and were very well received. But, afterwards, the mercantile clamour, reſpecting the debts owing to Great Britain, from America; and the very extraordinary, and trimendous ſpeech of the great Commoner of that day, like an irreſiſtible tempeſt, darkened the underſtanding of the nation, con-

founded

founded every idea of public good: and, in the general wreck of common ſenſe, and common ſafety, overwhelmed the fortitude of thoſe gentlemen, who were then in power; and carried the whole weight of adminiſtration along with them. On perceiving this change, it became altogether unneceſſary to lay before the ſame gentlemen, the reſt of theſe letters.

They have lain by, unattended to, ever ſince: for, as the author looked after no other intereſt than that which he ſincerely apprehended to be the true intereſt of Great Britain; and was wholly unambitious of appearing

pearing in print, he did not attempt to oppoſe the irreſiſtible torrent of party prejudice, and imbittered paſſion, which then took part with America, againſt the true and moſt eſſential intereſts of the mother country. And becauſe, in violent irruptions in the body politic, as well as in the narural body, it is frequently the beſt method of treatment, not to check the diſorder; but, truſting to the vigorous ſtamina of the patient, let it come to a criſis; and then effect a cure, by applying proper medicine in the weak and enfeebled ſtate of the diſeaſe.

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This ſeems nearly to be the ſtate of the American controverſy at preſent. That rapid and infatuated ſpirit, which ſo radically repealed the ſtamp act, exhauſted its main ſtrength in that one extraordinary and mighty effort: and in the ſame inſtant, the legiſlature recovered ſo far from the ſhock it had thereby ſuſtained, as to have ſpirit ſufficient left, to aſſert and declare the undoubted right of the mother country to tax her colonies.

In conformity to this right, the ſame legiſlature has enacted duties and impoſts to be paid in North America; and appointed officers to collect

collect them. This conſtitutional and legal meaſure, to aſſert the ſovereignty of Great Britain over her colonies, has reduced the vigour of thoſe colonies to maintain their right of independency on the mother country: and with an open ſhew of determined reſolution, to menace what they maintain, Great Britain ſhall ſubmit to.

In the firſt inſtance, the Americans played off the mercantile intereſt of Great Britain upon her legiſlature; and having the countenance of the incorruptible patriot of that day; who, bieng then out of power, had planted himſelf in the front of op-

poſition, and was ſtorming, with impetuous violence, all the avenues to the throne, in order to ſeat himſelf, again, at the head of affairs. They, by the united aſſiſtance of theſe two powerful allies, ſurpriſed the legiſlature into compliance, and obtained a victory.

But as this victory has imboldened them to throw off the mask, and to enter into a general conſpiracy, one with another, againſt their mother country. They no longer pretend in this ſecond inſtance, to frighten the legiſlature into compliance by the threat that was then held out, of defrauding our merchants of the juſt debts

debts they owe to them: but, letting that lie open, as a ſelf evident principle, and truſting to the aid of the ſame incorruptible patriot, ſo lately cloathed with power, and, perhaps, too recently throwing it up for their ſervice, under his banner. They now lay claim to independency upon national principles: and for this purpoſe have adopted, as unanſwerable, all the arguments of Sidney, Lock, and other venerable names, who have, with the utmoſt propriety, exerted their great abilities in eſtabliſhing the independency and freedom of the mother country, againſt the intollerable ſtrides of royal prerogative, under the old conſtitution.

Altho' in this point of view, the colonies are become more confirmed in their defection; yet, in the courſe of events, the good underſtanding of the people of Great Britain, has had time to recover itſelf; and they are, it is to be hoped, not only generally convinced of the propriety and neceſſity of maintaining the ſubordination and ſubmiſſion of the colonies to the legiſlature of Great Britain; but are infinitely better diſpoſed to hear with an unimpaſſioned underſtanding, whatever may be offered in behalf of the rights of the mother country, and her indiſpenſible intereſt, dignity, and ſovereignty, in taxing and reigning

over

over her colonies. This, then, is the wiſhed for criſis, to apply the ſalutary effects of reaſon, and argument, to the publick political diſorder in this its weak and enfeebled ſtate.

With this view, the author moſt humbly begs leave to ſubmit the four following letters to the impartial judgment and candour of the public. In which, he hopes, it will appear, that he has ſtated the argument between Great Britain and her colonies, not only in a new light, but in the only light in which it ought, or can, with propriety, be handled; and which totally excludes every argument of thoſe celebrated authors, pro-

produced in favour of America, when America is conſidered in its true and natural ſtate, as comprehending only the provinces of Great Britain.

Having no private intereſt to ſerve; but having the higheſt regard and reſpect for the intereſt of the Americans, as colonies and provinces of Great Britain; he ardently wiſhes to ſee the moſt cordial harmony and affection take place between the mother country and her vigorous offſpring, upon a natural, ſolid, and permanent baſis of mutual intereſt and advantage. If, therefore, any better plan ſhall be adopted, than the sketch he has here ventured to

ſubmit

ſubmit to public view, he will heartily rejoice at it; or, if any part of his argument ſhall appear weak and inconcluſive, he will either enlarge and illuſtrate it, or candidly own and acknowledge its deficiency. But ſcurrility and abuſe will neither convince him; nor deſerve his reply.

LETTER I.

SIR,

GREAT BRITAIN is truly a prodigy! In ſpite of the higheſt prerogative, and the moſt imperious deſpotiſm, exerciſed over the ſouth, as well as over the north of her iſland, ſhe has, in former times, oppoſed every danger, ſurmounted every difficulty, and, with the loſs of her beſt blood, gloriouſly atchieved the free enjoyment of her property, and the fulleſt exertion of her liberty, as circumſcribed and limited by the laws of her own choice. Now that ſhe is ſo amply poſſeſſed, and ſecured of thoſe moſt invaluable bleſſings, her property, liberty, and laws, as not only ſhe herſelf in no former age ever experienced, but as no nation on earth now can, or in any prior period of

exiſtence, through the whole ſeries of ages paſt, could ever boaſt of:—now that ſhe is governed by the beſt of Kings, himſelf a lover of the conſtitution, and paſſionately deſirous of perpetuating the liberty, felicity, and glory of his people:—now that ſhe has carried her commerce all over the world; and acquired immortal glory by her arms:—now that her apparent felicity and power, her grandeur, dominion, and riches, attract the attention of all Europe, fill the nations with envy; and fire their imperial monarchs with the high ambition of emulating her unequalled fame:—at this very momentous point of time, ſhe is ready to fall into the blackeſt contempt, and oblivion, from the baſe degeneracy of her ſons at home, and the unbounded ambition of her offspring abroad.

Caſt your eye back to the firſt eſtabliſhment of her American colonies; and from thence look progreſſively forward to the preſent period: and you ſhall not find one inſtance of conduct in the miniſtry, or legiſlature

ſlature of Great Britain, tending towards the eſtabliſhment of any ſyſtem of government, natural and proper to their ſituation and condition, as provinces. The whole employment of the men of property, as well as of the miniſters of Great Britain, has in general been, by dividing the people into factions, and practiſing the grovelling arts of proſtitution and cabal, to keep themſelves in poſſeſſion when they have had power; or to pull down, and deſtroy others who had ſuperſeded them.

The colonies thus left to themſelves, and grown up into a ſtate of proſperity under the influence and protection of their mother country, have, by uninterrupted habit, come to think their corporation aſſemblies to be no leſs than parliaments; and with an ambition natural to man, viewing their numbers, and the extent of the country they poſſeſs, they are emboldened, from the intereſted diviſions, madneſs, and folly reigning in Britain, to graſp at national and independent legiſlation and government.

This is nothing wonderful in the provinces. But, when the danger is ſo imminent; the conſequences ſo plain; the dignity and intereſt of Great Britain ſo deeply concerned, — to ſee her public and private councils ſo divided, and contradictory, about what is neceſſary to be done; is truly alarming.

One great man, delighting in hyperboles, is ſaid to have aſſerted the right of making laws for preſerving the ſovereignty of the mother country over the provinces; but in the ſame breath to have denied the power of taxing them; and to have affirmed, that, were they to ſubmit to this tax, they would be, *ipſo facto*, ſlaves. Another great man, deteſting general warrants, yet fond of exerciſing himſelf upon the antiquated ſtilts of prerogative, is ſaid to have denied the parliament to have any power of taxing; but that the king, ſolely, may tax; in virtue of his ſovereignty. — Thus a plain matter is perplexed by the authority, and ability of thoſe men, who ought, chiefly, to illuſtrate, enforce,

enforce, and confirm it. And the people, on whoſe union and cordiality, alone, depends the future proſperity, or misfortunes of this nation, are miſled; and divided in their ſentiments.

The firſt great man's argument is made up of a direct contradiction. For, without a right to tax, there can be no ſovereignty. —Sovereignty comprehends legiſlation, and government; without which, it cannot exiſt. And wherever the right of legiſlation and government is, there, alone, exiſts the ſupreme right to tax. Wherefore, to have a right to the ſovereignty, and yet no right to tax, is a political abſurdity.

The other great man, by having recourſe to the power of the crown, in ſpight of his political averſion to general warrants, ſeems ſo enamoured of royalty, as to have forgot, that the luxuriant, and deſpotic branches of prerogative, were lopp'd off by the revolution; and ingrafted, not upon a part, but upon the whole united legiſlature of Great Britain. And that, therefore, whatever ſupreme

preme legiſlative powers reſided formerly in the king alone, inhere, and reſide now, in the united will and decree of the king, and the parliament.

But the whole of this argument is clearly and demonſtratively obviated, by this neceſſary, and eſſential diſtinction in the ſcience of politics; namely, the difference between national, and provincial government. All that the firſt great man alledges about the rights of the people, to be taxed with their own conſent, by their repreſentatives in parliament, is fitly, and properly ſaid, with reſpect to national government: but improperly, and abſurdly ſaid, with reſpect to the provinces. Becauſe, were Great Britain to permit them to govern themſelves in the ſame manner that ſhe is governed, they would naturally, and neceſſarily ceaſe to be provinces; and become, virtually, ſo many free and independent ſtates. To continue them as provinces, they muſt remain, and be kept obedient to the laws, and legiſlature of Great Britain; and in this way, only,

only, can they be of the higheſt utility, and ſervice to the commerce, power, and grandeur of Great Britain. On the other hand, to confer on their aſſemblies the rights of national legiſlation, and to allow, that they cannot be taxed, but by their own conſent, as ſignified by their repreſentatives in their aſſemblies; they muſt, being already proprietors of the ſoil, be then, neceſſarily, poſſeſſed of every qualification of ſovereignty; and in every reſpect, as free and independent of Great Britain, as Great Britain is now of them. On the exiſtence of this national conſtitution, they will then, like other nations, naturally conſult their own intereſts, independent of their mother country; and connect themſelves with her, only ſo far as that connection will anſwer their national purpoſes. Their having the ſame king with us, at the head of their conſtitution, will form but a ſlight tye. For, his oppoſition to their meaſures, when inconſiſtent with our intereſt, will meet with as little reſpect there, as the operations of the

Britiſh

Britiſh adminiſtration would receive at home, were they conceived contrary to the intereſts, and oppreſſive to the rights, and liberties, of this nation. — Great Britain might exert herſelf in ſupport of what, in that caſe, might be conceived to be the rights of the crown. But this could only produce a war. A war, which might then be uncertain as to its conſequences; and, in any iſſue, would only ſerve to increaſe mutual animoſity, jealouſy, and ill will; and to lay a foundation for claims that would never be given up, but with the total diſſolution of the original connection, between the mother country, and her provinces.

From this fair deduction of the argument, the ſingle queſtion ſeems to be; Whether Great Britain ought to retain her provinces under her legal and parental ſubjection; or, by enfranchiſing them, under a like conſtitution with her own, make them a free and independent nation? To become, perhaps, hoſtile to herſelf, with the loſs of all

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the blood and treaſure ſhe has laviſhed in their ſervice, and all thoſe advantages of commerce, power, and dominion, which open to her view, in a long and glorious proſpect of future felicity. The reſult to be given, abſtracted from private intereſt, and ambition, would not admit of a moment's heſitation.

But it is ſaid, that taxing the colonies makes them, *ipſo facto*, ſlaves. What a profanation of language! Has not every nation a right to colonize? — The plantation of the whole earth is a proof of it. — The practice of all nations, ancient, and modern, confirm it. — Can ſubjects of a ſtate, tranſplanting themſelves voluntarily; continuing under its influence and authority; governed by its laws; and protected by its power: be ſaid to be ſlaves, any more than when they were in the boſom of their mother country? As part of the people of Great Britain, they were all of them, by the conſtitution and the laws, protected in their rights, liberties, and privileges, as

free men, fellow compatriots, and ſubjects of the ſame ſupreme legiſlature, at the time they left their country. Such of them as had real property in it, were ſpecially repreſented by their conſtituents in parliament; and ſuch as had none, were equally ſecured in their rights and liberties, by having the equal and full benefit of the ſame laws that were made for thoſe purpoſes, as the proprietors themſelves, who were more eſpecially repreſented; being at the ſame time poſſeſſed of full and intire liberty and choice of becoming at all times real proprietors, whenever they ſhould be poſſeſſed of ſubſtance, or perſonal property, ſufficient to effect it by purchaſe. Their increaſe of numbers ſince, makes no variation. They were born, or they of choice reſorted there, all under the ſame predicament of being ſubjects of Great Britain; protected by her parliament; enjoying her laws; and ſubject to her government. — Free to remain in the provinces; free to return to their mother country. Wherever they are found,

they

they are acknowledged for her ſons; as being poſſeſſed of all the privileges of their birth right. Can ſuch men as theſe, then, be accounted ſlaves?

But they are proprietors of a diſtant country; and their charters intitle them to make their own laws. Therefore, they are intitled to a ſeparate repreſentation, and to tax themſelves.

As a body corporate, under a charter, they may, like other corporate bodies, make laws for their own utility and government. But no royal charter can be pleaded in bar of the ſupreme ſovereignty of the ſtate, in its legiſlative capacity. That would be to raiſe a charter above an act of parliament: the power of the king above that of the legiſlature; which would diſſolve the conſtitution, and annihilate liberty. Whatever, therefore, the privileges may be, which they claim under their charters, the power and right of the legiſlature, remains paramount over them; and over all the ſubjects of Great Britain. Their property in a province

intitle them to as little repreſentation. Becauſe the province itſelf is virtually, as ſuch, comprehended in the dominion of the mother country; and falls under the national repreſentation, ſubſiſting in the Britiſh parliament, at the time of its firſt ſettlement. Wherefore, I again repeat it, that to tax themſelves, they may. For that is agreeable to their charters, and belongs to their incorporate and internal ſtate, as a province. But to deny the right of the mother country to tax them, likewiſe, in her ſupreme legiſlative capacity, is to deny her ſovereignty. It is to change their political exiſtence: and in place of ſons and provinces of their mother country, to become aliens: and to form themſelves into a mother country, and an independent nation.

As I have mentioned the diſtinction between national and provincial government. Take here the rough outlines of a provincial ſyſtem.

1ſt, Fix the nature, power, and extent of the colony aſſemblies, ſo, that they may ever

never be miſtaken, hereafter, for parliaments: but known and univerſally acknowledged as corporate bodies, only, having power to propoſe laws for the internal police of the colony, to be approved or rejected by his Majeſty in council, as uſual; and always ſubject to the reviſal and alteration of parliament.

2dly, Two members, or one, to be choſen by each colony aſſembly; who ſhall have ſeats in the Houſe of Commons of Great Britain, not as repreſentatives; becauſe the people of North America, being all ſubjects of Great Britain, are already repreſented; but as deputies; who may attend to the intereſt of their reſpective colonies, and give ſuch information to parliament as may enable the legiſlature to judge and do what is beſt for the ſervice of the ſaid colonies, taken along with the general intereſt of all his Majeſty's dominions. Theſe members of the colony aſſemblies, ſo deputed to parliament, may have the privilege of ſpeaking upon American affairs only, without voting

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in the determination of them; or in the determination of any other queſtion whatſoever. This will, effectually, prevent any idea of repreſentation. But, at the ſame time, to enable them perfectly to execute their duty as deputies, they ought to have all the perſonal privilege of members of parliament, both in Great Britain and the colonies. But no other of the members of the colony aſſemblies ought to have any ſuch perſonal privilege in their reſpective colonies.

3dly, The colonies may be divided into circles, or provinces; ſo that three colonies may make one circle, or province.

4thly, Governors may be ſo appointed to each circle, or province, that, by reſiding two years in each colony, each governor will have paſſed through the three governments of the province, in the ſpace of ſix years; after which, he ſhall return home, and report to the board of trade, his obſervations reſpecting the commerce of each colony;— to the ſecretary of war, his obſervations reſpecting

ſpecting the military eſtabliſhment of each; —to the lord chancellor, a plan of the civil police, and the import of the laws paſſed in the aſſemblies of each, during his government; —and to the ſecretaries of ſtate, a general report of all theſe, together with ſuch ſpecial obſervations reſpecting the character and diſpoſition of the people; the aſſemblies, and the individual leading characters in each; as may tend to the perfect knowledge and better government of the whole. It being always underſtood that, his Majeſty may, at pleaſure, remove theſe governors; but not continue them longer than the time alloted for performing the courſe of their reſpective circles. Nevertheleſs, after they have returned, made their reports, and been two years out of their laſt governments; they may, at his Majeſty's pleaſure, be appointed to go the courſe of a new circle, or province, as before. By this rule, a new governor will be ſent out to each circle, every two years: and by varying the time for ſending out the governors

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to each circle, ſo, that the governors for different circles may go out at different times, there will be a continual ſucceſſion of governors throughout the provinces; all skilled in their duty, unable to contract any undue and foreign bias, and rendered emulous, by the ſwift courſe of their ſucceſſion, to excel one another in the adminiſtration of their governments; to the mutual ſatisfaction of their ſovereign, and his people in the provinces.

5thly, A certain number of troops may be annually alloted to each province, under the command of a brigadier general; who ſhall, in conſequence of his command, be the firſt member in the governors council. This officer ſhall correſpond with the ſecretary of war, and the ſecretary of ſtate; perform his courſe of the circle in the ſpace of three years; that is to ſay, continue one year with the troops, under his command, in each colony, within his circle: and, then, return with them home, and make his

his ſpecial report to the ſecretary at war, and the ſecretary of ſtate.

In performing this courſe, it ſhall be ſo ordered, that each governor ſhall have, annually, new troops, and a new commanding officer, or brigadier general, for the protection and government of his colony. The brigadier and forces of one colony, to be independent of the brigadier, and forces of another colony; excepting when they may be ſent by the reſpective governors, to the aſſiſtance of one another. Then the ſenior officer of the firſt rank to take the command, during that ſervice; unleſs his Majeſty ſhall appoint a particular commander in chief for any expedition, or for taking the command of all the forces in any, or, in all the circles. So much for the rough outlines of the civil, and military provincial government.

As to religion, let it ſtand as it is. For the preſent, of all others, is not the time for clerical ambition to extend its ſway over North America.

As to taxes, whether the ſtamp duty be a

proper one or not, I ſhall not ſtay a moment to enquire. But, as it has occaſioned, or, rather, been a pretence for occaſioning all this rupture, it ſeemed to be the moſt proper, and political meaſure of all others, to take it off; at leaſt for the preſent. But, at the ſame time that it was taken off, another ſhould have been immediately laid on, were it but to the amount of a pound upon each colony, to confirm the right of the legiſlature: and to prove that Great Britain can, and will tax her colonies.

As to taxes in general, reſpecting the colonies. The worſt of all others, ſeem to be ſuch as lay reſtraints and fetters upon trade. It is by trade only, that the colonies can benefit their mother country; and ſupport, augment, and enrich themſelves. Therefore, every channel ſhould be perfectly free and open to them, that is not abſolutely inconſiſtent with the police, and intereſt of the mother country. Foreign trade, in particular, where the balance is in their favour; and where it eminently augments the exports

ports of Great Britain, ſuch as the trade to South America, and all the Weſt India iſlands, ſhould be intirely unfettered from prohibitions, taxes and reſtraints. For this reaſon, the impediments latterly thrown upon this trade, by Britiſh guard ſhips, &c. appear to be ſo many prodigies in politics. It was not certainly the intereſt of Great Britain, to become *guarda coſtas* to the Spaniards and French. If the North Americans, and our iſlanders, thought proper to contravene the municipal laws of the Spaniards and the French, they did it as individuals, and at their own riſque. Our government was not concerned with it; nor accountable for its conſequences. The advantages to North America, and Great Britain, were obvious. And theſe advantages might have been a ſufficient reaſon, at leaſt, for the government to have been paſſive. Trade produces riches; riches center in the purchaſe of property, or land, wherever it can be found. Property, therefore, is the grand and proper object of taxation. In taxing

property, it is the rich only that feel it; and they only ought to feel it; becauſe they are able to bear it. But by taxing trade, it hampers, confines, and deadens thoſe, who have the free and noble genius of enterprize, and adventure; and are looking after riches but have not obtained them. The poor, therefore, in this caſe, are thoſe only who feel its effects; and they ought not to feel them; becauſe they are not able to bear them. Had, therefore, the property of North America been taxed, in place of its trade, the proprietors had been better able to have borne it, and the poorer people not feeling it, would never once have thought of the outrages they have already committed.

Would the demon ſpirit of faction but ceaſe; and all the little intereſted private parties coincide in the ſame national and public view, of aiding and ſupporting the government in what is neceſſary to be done, this high humour of the North Americans might be conſidered as one of the happieſt

incidents

incidents that could have fallen out. As it has opened the eyes of the nation, and gives an opportunity to the legiſlature, while it is not yet too late, to new model the government of North America, upon a plan of liberty ſuitable to the nature of colonies, and the dominion of the mother country. But, the preſent divided ſtate of the nation: the eager purſuits of individuals after illimitable power: and what ſeems as much to be apprehended, the private and temporary mercantile intereſts of particular men, may take off from that ſteadineſs and firmneſs that is requiſite in the government, for conducting the meaſures that are neceſſary to obtain the grand object that lies before them. An object, that reſpects futurity infinitely more than the profits and advantages of any ſet of men, for the preſent moment. To ſucceed well in this great work, it requires all the wiſdom of ancient Athens; and all the magnanimity, courage, and inflexible reſolution of ancient Rome. Since the ſmalleſt deviation from the grand point to ſerve particular

particular purpoſes, or to cover the danger with temporary expedients, may ruin all.

I am, Sir, &c.

LETTER

LETTER II.

SIR,

I Hope the reſolution taken to repeal the ſtamp act, is preparatory to the laying on ſome light duty in its place; in order to aſcertain the right of legiſlation in the Britiſh parliament; remove all doubts in North America, on that head; procure the immediate compliance and ſubmiſſion of the people there: and practically fix the meaſure of their duty and obedience in all time coming. The honour of parliament, nor the honour of the nation, ſeem not, in the remoteſt degree, to be affected by the repeal of the ſtamp act: provided that any

other

other duty, however ſmall, be immediately impoſed. But to repeal the ſtamp act, and lay on no duty by the direct authority of parliament; or, to lay on a duty, and refer the mode and manner of aſſeſſment, or the levying of it, to American aſſemblies; in either of theſe caſes, it appears to be clear as any mathematical demonſtration, that, not only the honour of parliament, but the moſt important intereſt of Great Britain, will be highly injured, in point of national commerce, dominion, legiſlation, and power. Not only now, but throughout the whole future period of their exiſtence.

The repeal of the ſtamp act, is to remove the real, or imaginary grievances of our brethren of America; and to ſooth their paſſions and prejudices.—To lay on a new duty, however ſmall, is to eſtabliſh and perpetuate the legiſlation of Great Britain over her provinces. Both theſe were, certainly, fit, and expedient to be done.

But to lay on no duty, is to give up the point in queſtion, and to rivet the Americans

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in their opinion of independency on the legiſlature of Great Britain. And to lay on a tax, and leave it to themſelves to levy it, in their aſſemblies, is to give them a firmer bottom of independency than what they now ſtand upon. For they will plead this as a national conceſſion, and affirm that, though the parliament may tax, yet they, alone, can levy the tax impoſed. And it being thus left to them to levy what the parliament may tax, it will amount to the ſame thing as if they had been allowed to tax themſelves. Becauſe they will only levy what they think proper: and in place of complying with the tax, impoſed upon them, it may, naturally, be expected that, they will remonſtrate, that they can only levy ſuch a part of it; or that they cannot levy it at all. Whatever theſe aſſemblies ſhall do in this reſpect, popular opinion and popular force will ſupport them in it. And it will be as difficult then, to reduce them to compliance, as it appeared in the caſe of the ſtamp act. On ſuch an event, ſhould the

parliament reſume their operative capacity, by directing the manner in which the tax ſhall be levied and enforcing the levying of it; the Americans will then rend heaven and earth with their appeals for juſtice; and complain, that the parliament have aſſumed a power that does not belong to them; a power inherent in the delagates of the people; and acknowledged as ſuch, by the legiſlature of Great Britain, on ſettling, at this time, the model of taxation. This circumſtance would naturally invigorate the ſpirit of ſedition; and render them, even far more untractable, than what they may be preſumed to be at preſent.

But, ſuppoſing the moſt favourable caſe to happen; that is, that they will give ready compliance to the decrees of parliament; and punctually levy ſuch moderate duties as may be now, and for ſometime, hereafter, laid upon them: yet, who can be ſo improvident as not to foreſee, that, the means and the opportunity of exerting themſelves in this way, are at all times open to them:

and,

and, that, if they ſhall yield compliance for the preſent, it will be only to improve with greater certainty and ſecurity, the advantage which this conceſſion will give them, by laying hold on ſome future time to eſtabliſh their independency; when either the increaſe of their numbers and riches, ſhall impel them to ſhake off their mother country; or, when that country, preſſed by the exigency of her affairs, or attentive to her commercial intereſts, ſhall lay on any additional tax, or direct their trade in ſuch channels as, however beneficial to the general good, may be conceived by them to be leſs commodious to their particular views, than what they could wiſh for. So that the utmoſt merit of this meaſure, ſeems to be that of a temporary expedient, to ward off the evil hour to a future day.

In ſhort, it is not the oppreſſion of the ſtamp act, conſidered as a tax, that has ſo highly animated the commotions of America: it is clearly the ſpirit of independency. It is the deſire of managing their own af-

fairs more to their own advantage, than what they think can be accompliſhed, under the government and ſubjection of Great Britain. It is the high and imperious ambition of being themſelves, a nation of independent ſtates; the accompliſhment of which is fatal to the proſperity of Great Britain. This brings us back to the ſingle object in view; that is, how this may be prevented.

The repeal of the ſtamp act is a proper ſacrifice to their preſent humour. To lay on, immediately, a freſh duty, however ſmall, is neceſſary to maintain the honour of parliament, and the right and authority of national legiſlation. But to me it is evident that both the one and the other will be altogether inſufficient, unleſs that a proper ſyſtem of provincial government be eſtabliſhed. — The not adverting to the natural and neceſſary difference between national, and provincial legiſlation and government, ſeems to me, to have been the principle cauſe of the difference in opinion, about the right of Britiſh legiſlation in America. For, if it had

had been once clearly underſtood that, for the Americans to tax themſelves, and to have repreſentatives, as in Great Britain, would be to loſe them, and make them independent of Great Britain; perhaps, adverſe to her; nobody would have been found on your ſide of the water *, at leaſt, to oppoſe the juſtice of their being taxed and governed by the Britiſh parliament; or to think, that the liberties of the people of Great Britain were, for this reaſon, in any danger; or, that the condition of the North Americans would be that of ſlaves. On the contrary, it muſt have appeared, that the true intereſt and majeſty of the people of Great Britain, were eminently concerned in ſupporting ſuch meaſures, as were neceſſary to accompliſh this end. It would have likewiſe appeared, on diſpaſſionately conſidering the intimate connection and mutual intereſt between the mother country and her colonies, that they never can be in danger of

* The author wrote from a neighbouring kingdom, to his friend at London.

ſlavery

ſlavery or oppreſſion: for, whatever eſſentially injures them, muſt neceſſarily hurt and injure the mother country; and although they may ſuffer a temporary inconveniency, by any inadvertent, or miſconceived law, paſſed in parliament; it is impoſſible that it can remain longer unredreſſed, than the moment that it is clearly diſcovered and made known to be ſuch; while the mother country retains any ſenſe of what is her own intereſt.

I am, Sir, &c.

LETTER

LETTER III.

SIR,

I Have, with avidity, ſought after every argument in ſupport of that very extraordinary poſition; that the legiſlature of Great Britain have no right to tax the Americans: and I moſt ſincerely own to you, that all I have met with, is bold aſſertion; and even that aſſertion contradictory in itſelf.

If the legiſlature of Great Britain have no right to put their hands into the purſes of America; what poſſible right can they have to bind her by the laws reſpecting external commerce, in all its branches? If, by taxing them, as it is alledged, it depends upon the

the breath of a Britiſh parliament, whether or not there is a penny of property in America: does not this penny of property equally depend upon the breath of that parliament, when they can, by right, as is confeſſed, regulate their external commerce in all its branches, upon which, ſolely, this penny of property depends for its exiſtance? Is it not the ſame thing to me, whether you reſtrain me from earning a penny; or, take the penny from me, after I have earned it? Should it be alledged that, in reſtraining their trade, Great Britain will have an united conſideration of their intereſt, along with her own. This reply will be good and concluſive. But, the ſame reply will likewiſe anſwer, with reſpect to internal taxation. For, if the legiſlature leaves them not a penny of property; or, in other words, oppreſſes them with taxes; they cannot carry on commerce, and ſhe muſt ſuffer along with them. In ſhort, the reſt of the world are ſo far advanced in commerce, and are ſuch formidable rivals of Great Britain, that her laſt and

ultimate

ultimate hope is, in the commerce of her colonies, and her trade with them. This circumſtance I hold to be undeniable. And in this view, the proſperity, or, adverſity of the colonies, is the proſperity, or, adverſity of Great Britain. She cannot, therefore, oppreſs and injure them, without immediately and neceſſarily feeling it herſelf: and this is their ſecurity, and the beſt ſecurity in the world, of being always free and always flouriſhing, under her ſovereignty and government.

It is not ſo, if you will conſider Great Britain as dependent upon her provinces; or, which is the ſame thing in the preſent queſtion, them as independent of her, by being allowed the ſupreme ſovereignty and government of themſelves, in having an excluſive right of taxation. The reaſon is ſimple and plain. The proſperity, or adverſity of Great Britain, is not, neceſſarily, the proſperity or adverſity of the colonies.

For, in the firſt place, the property of Great Britain requires, that the commerce

of the colonies may be caſt into certain channels, and ſuffer certain reſtrictions and limitations; which, were the intereſt of the colonies the ſole object, would appear highly prejudicial to them. The intereſt of Great Britain may, likewiſe, require aids by taxation, when the colonies ſhall be rich and affluent; and, therefore, able to afford them; in order to enable her to ſupport the expence of government in the time of peace; eaſe the incumbrances of her public debt; or, defray the charges of a public war. But none of theſe, the colonies being judges, can be conſidered as their intereſt; nor, being left to their free choice to raiſe, will ever be agreed to, or accompliſhed: ſo that, in this reſpect, the proſperity of Great Britain, appears to be the adverſity of the colonies.

In the next place, the adverſity of Great Britain is not, neceſſarily, the adverſity of the colonies. Loaded with a national debt; burthened with the ſole ſupport of government, and all the expences incident and neceſſary to political connections, in ſupporting

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and maintaining her power, influence and authority, in the general ſyſtem of Europe; that debt increaſed: her ſtrength and ability exhauſted in the courſe of future wars; her inteſtine diviſions and factions, kept up and ſtrengthened in their hatred of, and oppoſition to, one another; all theſe might reduce Great Britain to the laſt extremity of debility and wretchedneſs, without having any other effect upon the colonies, under the ſuppoſition, that they had an independent right of legiſlation, to tax and burthen themſelves as they thought proper, than that of giving them a nearer proſpect of riſing upon her ruins; and after having been reared into maturity at the boundleſs expence of her beſt blood and treaſure, to ſpurn and reject her in her ſtate of deſolation; and ſpringing freſh, young, and vigorous, into a reign of abſolute independent and national government; ſtart for the prize of pre-eminence, with all the other powers of the earth. In this view the deepeſt adverſity of Great Britain would appear

only conducive to the higheſt proſperity of the colonies.

I, therefore, conclude, that the proſperity, or, adverſity of the colonies, being the proſperity or adverſity of Great Britain, the right of ſovereignty, as including taxation, ought to remain indiſſoluble in the legiſlature of Great Britain, over the provinces: and that the proſperity and adverſity of Great Britain, not being the proſperity or adverſity of the colonies; the power or privilege of excluſive and independent taxation, ought never to be given to, or intruſted with the provinces.

I am, Sir, &c.

LETTER

LETTER IV.

SIR,

TAKE here another view of this argument.

Much has been ſaid of the ſocial compact, and the ſovereign right of the people. — In an abſtract, moral view; all men are alike. All men have a right to liberty, freedom, independency: none to pre-eminence; but what they may derive from others, on account of their wiſdom, heroiſm, benevolence, &c. And all this includes the intereſt and ſervice of the people. — But, look over the face of the earth, and find out this ſocial compact? Examine the rights, and ſovereignty of the people. Where do they exiſt?

How

How did they begin? Upon what are they founded?

The people of the eaſt, compared to whom we in Europe, are but a handful of men, have the ſame rights and privileges, the ſame title to liberty, freedom, and independency, as men, that we have. Where is their ſocial compact? Where their ſovereignty? They are as the beaſts of the field, the property of their maſters, the ſheep of his paſtures. — The people of Europe, compared to whom we in Britain bear as little proportion. Where is their magna charta? Their habeas corpus? Their juries? Their parliaments? Their repreſentatives? Their excluſive right of being taxed by their repreſentatives only? They are the humble and obedient ſubjects and vaſſals of their reſpective ſovereigns and lords; who think for them, and act for them; and demand, and receive an implicit ſubmiſſion. Even we, comparing ourſelves with our forefathers, what figure did the ſocial compact, and the ſovereignty of the people, make in

Great

Great Britain, from the æra of the Norman prince, down to the happy revolution? In the firſt part of that æra, no regard whatſoever was paid to them; and they never afterwards exiſted with any fixed, certain, and eſtabliſhed authority.—The firm, clear, and indiſputed eſtabliſhment of the ſocial compact, is, even with us, but of yeſterday. To talk, therefore, in the abſtract, of the ſocial compact and the ſovereignty of the people; and to apply it equally, and in all circumſtances, to every country; and to every order, and ſituation of men belonging to the ſame country, ſo as to give each an equal degree of liberty and independency; is to deceive ourſelves, and amuſe and miſlead others. To argue with clearneſs and certainty upon this, as upon every other ſubject, we muſt follow nature; and this brings us cloſe to our ſubject.

The people of the eaſt are ſlaves, not becauſe they have not a moral right to be free; but, becauſe they are without the means, or the natural right of being ſo; as not being

poſſeſſed

poſſeſſed of property. The prince is ſovereign of the ſoil, and feeds his army, which commands his people to obey his will. The intereſt of the prince is, therefore, the ſole object of the government: and the capital part of that intereſt, is to maintain his property inviolable; upon which depends his power. — The countries of Europe have had a more enlarged and generous diviſion, as comprehending, in every region, a number of proprietors, along with the ſovereign. They are the nobility of its reſpective kingdoms; and their intereſt, along with that of the ſovereign, becomes the capital object of policy, in the ſtate. Here, as the intereſt is more enlarged and divided, the laws become more equal, generous, and comprehenſive; and of courſe, the people more free and happy. — Great Britain, alone, of all theſe kingdoms, has had the happineſs, in the courſe of accidents and events, to have her property diffuſed among her people at large; and hence, alone, not from any ideal ſocial compact, ſhe derives her ſolid right to a

more

more enlarged, equitable, and popular government, than other kingdoms whoſe property is more confined.

Upon this firm and ſubſtantial natural right, the right of property, the people claim, with propriety, juſtice, and efficacy, all the moral rights and privileges, which they are intitled to as men; that is, freedom and liberty, as regulated by laws, made for their own intereſt; and with their own conſent; and not by the will and pleaſure of one, or of a few men.—Here, then, is the bottom to reſt upon: and this is the true foundation of their ſocial compact and overeignty.

This is at preſent, and has been for ſometime, the happy ſituation of Great Britain. The legiſlature, conſiſting of king, lords, and a repreſentation of the people, or commons, conſtitute her ſupreme and abſolute ſovereignty; and the people, as their ſupreme privilege, have an excluſive right, by their repreſentatives, to tax themſelves. This right of excluſive taxation is the palladium

of their liberty and independency. For, without it, they might be ſtripped of their property, which, as already obſerved, is the foundation of their power, and the natural cauſe of their freedom.

Now, the ſame cauſes will always produce the ſame effects. If, therefore, the colonies, *poſſeſſed as they are of the property of a diſtant country*, be likewiſe inveſted with *this excluſive right of taxing themſelves*; they will, from that circumſtance, be effectually and neceſſarily as independent of the legiſlature of Great Britain, as the people of Great Britain are, by virtue of this right, of the king, and the nobility; that is, they will be under a national, not a provincial government; and, therefore, unconnected with, and independent of Great Britain. Nor will the legiſlature of the mother country, have any more right to raiſe any tax, ſupply, or aſſiſtance, from them; than they, to raiſe the like from her. This in a philoſophical view, as a citizen of the world: and having an indifferent regard for all, is very

kind

kind and generous towards America; but, in a political view, as reſpecting the mother country, moſt ruinous and deſtructive: and however much obliged the people of North America may be by ſuch an inſtitution; the good people of Great Britain will, to their fatal experience and ruin, have little reaſon to applaud it in the iſſue.

This leads us to provincial government.

Whether the ſtate be an abſolute, or free government? This truth is verified in fact, as well as clear in its own nature. That her provinces muſt neceſſarily be kept ſubject and obedient to her ſupreme will and legiſlation, in every thing; or, they will become independent and loſt, to the ſovereign country. As to the nature of this truth, it has been formerly, as well as now, ſufficiently ſpoke to; and, as to the fact, ancient Rome is the faireſt pattern of antiquity to appeal to. She had many provinces, endowed with various degrees of freedom and privilege, according to the circumſtances, diſpoſitions, and merit of the people; but this was an

invariable and univerſal maxim of conduct towards them all; that the taxes, or contributions levied for the exigencies of the ſtate, and the good of the whole, as comprehended in that of the ſovereign country, were conſtantly impoſed by the authority, and levied by the power of the republic. Throughout all antiquity, and in the whole current of modern experience; there is not one inſtance to be produced to the contrary of this doctrine, and this fact.

But here, again, the ſocial compact comes acroſs us — The liberties of America are to be as tenderly regarded, as thoſe of Great Britain — Who can love liberty in the mother! and not wiſh to ſee America and every child of Britain free? This is flowery and pathetic: but, it is talking to the paſſions, not to the underſtanding; theoretically, not practically; viſionary, not naturally. Who, that is a philoſopher and a perfect citizen of the world, but would wiſh to ſee liberty and happineſs diffuſed throughout the whole globe, in as great a meaſure, and to as high a de-

a degree, as in Britain; or, in any other country, poſſeſſed of thoſe invaluable bleſſings. A philoſopher, emitting ſuch ſublime emanations of benevolence in his ideal ſyſtem of equal and univerſal felicity; would meet, undoubtedly, with our applauſe. But, were this gentleman, in carrying his theory into practice, to attempt to make any number of the ſubjects of the ſtate independent of it, and ſupport them in their claim of a ſeparate, free, and abſolute will and choice, as to what they ſhould pay towards its ſervice: we could not, in the tendereſt point of view, but conſider him as having deviated from his duty to his country. Or, were this philoſopher to promote the intereſts of France, by enlarging the freedom of her people, extending her trade, and exalting her maritime power; howſoever conſiſtent this might be, in his general ſyſtem of benevolence, by giving freedom to the oppreſſed, bread to the induſtrious, and extending the reign of liberty further upon the face of the earth, no doubt would remain

main in Britain; but that he, as a Briton, was an enemy to his country. The faculties and powers of man are very limited. Theſe vaſt ideas of diffuſing univerſal liberty and happineſs to all the ſpecies; or, of making all men in the ſame ſtate, however different their circumſtances and ſituations may be, equally free, and equally remote from injury and oppreſſion; are beautiful in the abſtract, but impracticable in real life. That man is happy! who can ſerve his country, without being the benefactor of mankind. And he, likewiſe, would be truly happy, who could plant and rear to perfection, the bleſſings of liberty, juſtice, and equitable government, in every branch of the dominions he is a member of, as far as each is able to bear it; and as far as is conſiſtent with the general intereſt; although he ſhould not be able to fix it in an equal degree, in every part. The incoherence and ſeeming oppoſition of the parts, in a free ſyſtem of government, are, in the ſtate, like the diſcords known in muſic; which, however

ever diſagreeable in themſelves, are highly conducive to the general harmony, when properly introduced into a grand compoſition.

Let us leave the aerial regions of imagination and paſſion; and follow, for a while, the plain road of nature and common ſenſe.

A muſſulman, is at the will of his ſovereign; becauſe his ſovereign poſſeſſes the property of the country, which feeds his army, that controuls his people. His moral and theoretical rights to liberty and the ſocial compact, are, therefore, imperfect. The people of Great Britain, acknowledge the will of no mortal man. Becauſe, they are poſſeſſed of the property of the country; compoſe, by their repreſentatives, a part of the legiſlature; defray the expences of government; pay the army that is employed in their ſervice; and retain, inviolably, the excluſive right of taxing themſelves. Their moral and theoretical rights to liberty and the ſocial compact, are, therefore clear, full, and compleatly perfect.

But,

But, in this moſt excellent ſyſtem of government; as in every government that ever was, or ever will be, there are various degrees of privilege, liberty, and enjoyment, according to the circumſtances and ſtation of men, under it. The nobility have their privileges: the repreſentatives of the people have theirs; both theſe orders of men have, in this reſpect, more liberty than the reſt of their fellow ſubjects. The honour, the dignity, the good of the ſtate, and the commonweal, require it. The army, and the navy are, on the contrary, under ſevere laws. Both theſe orders of men enjoy almoſt in every reſpect, far leſs liberty than the reſt of the people. But the neceſſities of the ſtate, and the ſituation they are placed in, make it neceſſary; in order to fit them for the ſervice of their country, as good ſoldiers, and good ſeamen. In all this, the general ſyſtem of liberty is not infringed: the particular liberty of individuals, much.—In the firſt inſtance, more than ordinary liberty is enjoyed; becauſe their circumſtances

and

and ſituation, render it fit and proper. In the latter inſtance they enjoy as much liberty as their ſituation and the public intereſt can admit of. The publick intereſt, then, or, the good of the whole, is the ſtandard of liberty, in a free government. This is the true meaſure and extent of the ſocial compact. Not that every one ſhall be equally free and independent; but that every one ſhall be as free and independent, as his circumſtances and ſituation will admit of, conſiſtant with the good of the whole.

Let us apply what has been ſaid to the colonies.

It may be ſaid, the Americans are the offſpring and children of Britain; that they are, likewiſe, poſſeſſed of property, the efficient cauſe of power and dominion; and that they are, therefore, morally and naturally intitled to all the liberty, rights, and privileges of Britons; and of conſequence, they ought, in order to have their property in America taxed with their own conſent, to be repre-

ſented, from America, in the Britiſh parliament.— I anſwer—They are intitled to all the liberty, rights, and privileges of Britons; but to no repreſentation from America. Becauſe (not to repeat what has been formerly obſerved, that, as Britons, and the ſubjects of Britain, they are already repreſented) ſuch a repreſentation, were it complied with, muſt, to anſwer the purpoſe intended, be made adequate to the numbers of the people, or the value of the property poſſeſſed by them, in America; which would make ſuch an innovation upon the legiſlature, and render the Houſe of Commons ſuch a numerous, tumultuous, unweildy, and unmanagable body, as might give an opportunity to a powerful faction, to overſet the throne; or, to a bold and able miniſter, to enſlave the people.

Secondly, The increaſe of numbers, and the occupation and cultivation of new lands, would lay a foundation of equal right, for the ſame claim of repreſentation, at leaſt every twenty-five or thirty years; which is the time allowed, in which the Americans

may

may double their population. This repreſentation of America would, therefore, in a very ſhort time, overbalance the national repreſentation of Great Britain; the intereſt of America would preponderate; and that of the mother country would be loſt.

Thirdly, The inſtitution of ſuch a repreſentation from the colonies would give riſe, upon the ſame bottom of right, to the ſame claims from many fair towns and diſtricts in Britain.—All which, taken into one view, muſt appear to occaſion ſuch tumult, diſorder, and anarchy, as would neceſſarily diſſolve the conſtitution; and give riſe to ſome new kind of government, fatal, in all probability, to Britain.

This claim of repreſentation, therefore, had it any real exiſtence, muſt yield to the good of the whole; that is, to the good and intereſt of Great Britain; which is the ſtandard and criterian of liberty and juſtice, with her, in reſpect of herſelf, and of her conduct towards all her children.

Again, the diſtance of America from Great

Britain and the vaſt extent of the country itſelf, renders it incapable of being kept and governed by Great Britain, in any other form or manner, than that of a province. — The people born there, have an affection for the ſoil. They are poſſeſſed of it. They acknowledge it for their country. Their firſt and ultimate hopes and fears, are, about its proſperity, or misfortune. And every other country and people, even the mother country, occupy but a ſecond place in their conſideration. In this ſituation, then, to grant them the privilege of taxing themſelves, with reſpect to the aids and ſupplies to be furniſhed to the mother country; or, of levying them; is to eſtabliſh the ſolid foundation of a national and independent government. For, as already obſerved, the mother country, by this very caſt in her conſtitution, is rendered free, and kept independent of the crown; therefore they, by this conceſſion, like cauſes producing like effects, will neceſſarily become free and independent of Great Britain. They will be the judges of

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her neceſſities; they will judge of them according to their own conveniency and intereſt. And ſhe, from being the mother and miſtreſs of her colonies, will become the humble ſervant and ſuppliant of another nation. This would be effectually to deſtroy the ſocial compact, between the mother country and her colonies. All that the ſocial compact requires, in the utmoſt extent; and all that can be given, conſiſtent with the ſovereignty, the proſperity and happineſs of the people and ſtate of Great Britain, is, that the colonies may enjoy as much freedom, liberty, and independency, as their ſituation will admit of, as ſubjects and provinces of Great Britain. This relation muſt be conſtantly kept in view. This is the great public good, to which every thing oppoſing it, muſt give way.

The refuſing to the colonies the privilege of taxing themſelves, with reſpect to the aids and ſupplies to be furniſhed to Great Britain, or, of levying them; will have this

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neceſſary good effect. It will turn the attention of men of proſperity in America, towards their original country. It will induce them to inveſt ſome part of their riches, in purchaſes to be made in Britain. It will invite their reſidence in it, for ſome part of their time, as the proper ſtage where they can figure to the beſt advantage, by becoming members in the Houſe of Commons; and thereby ſerving America in its moſt important intereſts. This reſidence will recall, in part, their affections to Britain; and bind faſter, that mutual connection and intereſt that ought to be ever cultivated between her and her provinces; and which, from their preſent continual reſidence in America, is diſſipated and loſt. It may even, perhaps, appear highly conducive to the fixing of this mutual connection and intereſt, and preſerving the allegiance of the provinces; to oblige, by law, every proprietor of America, to be poſſeſſed of a certain ſhare of property in Great Britain. —

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The cultivating of the ſciences to the higheſt perfection in America, may, for the ſame reaſon, appear not ſo deſerving of the encouragement of Great Britain, as it has hitherto done; in order, that ſomething may be left wanting, to induce their young men of fortune, to finiſh their education in the mother country.

Aſſertions, that "Great Britain has no "right to put her hands into the purſes of "the provinces of America; to alter their "mode of trials; or tyrannically eraſe the "barrier of their liberty; invaluable, and, "to be hoped, immortal juries," may be fully and effectually replied to, upon this pure, perfect, and eternal principle. That the intereſt of a part, ought to give way to the intereſt of the whole — Great Britain is that whole; and her colonies, did they conſiſt of a hundred millions, are, when figured out as oppoſed to her, but that part. — If the colonies tax themſelves, in their ſupplies to Great Britain, the connection is loſt; they become independent of their ſovereign country,

try, and form a ſeparate nation, by themſelves. This is the intereſt of the part, taking place of the whole. If Great Britain tax them, they are taxed as the people and ſubjects of Great Britain, and remain connected with her, and dependent upon her. This is the intereſt of the whole, taking place of the intereſt of the part. Therefore, Great Britain has a right, in her ſovereign and legiſlative capacity, to put her hands into the purſes of the people and ſubjects of America. The not making uſe of juries in the mode of trials and complaints, ariſing upon any tax to be impoſed by Great Britain, is equally juſt. If through the prejudices of the paſſions of the people, the verdicts of juries ſhould prove the medium to be made uſe of, for defeating the levying of the tax; which, agreeable to the ſpirit of America as a province, would certainly be the caſe. Nor are the people there, by ſuch mode of trials, brought nearer to tyranny, or removed further from the benefit of immortal juries, than the people of Great Britain;

who,

who, in caſes relative to the revenue, are ſubject to the deciſion of judges, without the aſſiſtance of juries.

The barriers of their libetty remain nevertheleſs intire. The ſovereign fountain of juſtice is always open to them at home, by appeals. They make their own laws, in their corporate aſſemblies, for regulating their internal police; and in every queſtion of private property, they enjoy, as they ought, immortal juries; and all the rights and privileges of Britons there, and every where elſe; and Great Britain cannot injure or hurt them, without ſuffering along with them.

I beg leave then to ſay, that, North America muſt be governed as a province, if Great Britain be inclined to govern her at all: and a military force muſt be made uſe of, as well to ſecure her obedience, as to afford her protection. As a means to governing well, and towards promoting her intereſt to the beſt advantage; it may, perhaps, appear not inexpedient, to admit a deputation from her in the Houſe of Commons. But that this

deputation may have no appearance whatſoever of a repreſentation, and to avoid the confuſion ariſing from too great a number of deputies; it may perhaps, on reflection, appear to be more for the public ſervice to have but one deputy elected or choſen from three colonies, than two deputies, or one deputy, from each colony; and to have all theſe deputies, ſo choſen for the reſpective circles of America, reſtricted to the privileges already mentioned in the firſt of theſe letters. This meaſure would not only effectually prevent any idea of repreſentation; but would give all the aſſurance and ſatisfaction that reaſon and juſtice could demand on the part of America, that the legiſlature of Great Britain would be truly and fully informed of whatever was neceſſary to be known for her ſervice.

To conclude, I conſider America as a field of adventure belonging to Great Britain, fitted to the genius, induſtry, and enterprize, of her people; and left open to their choice, to labour there, or not; and to

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remain there, or return from their purſuits after wealth and riches, at their pleaſure. Theſe terms of free election, are infinitely removed from ſlavery.—While they remain there, they muſt in every thing be kept ſubject and obedient to the lords of the field, that is, to the legiſlature of Great Britain. For, otherwiſe, the field, and all the advantages ariſing from it, will be loſt. What inconveniences they ſuffer, or think they ſuffer, from a tenor of government neceſſary for this purpoſe, they ſuffer voluntarily; as they may always leave it at their pleaſure, and return to their original country. In this reſpect they have not ſo much reaſon to complain, as thoſe who adopt the martial life, by land, or ſea: it is an act of choice in both; but the former may change their ſituation at their own election, the latter muſt have ſpecial permiſſion for doing it. The intereſt and good of the whole renders it neceſſary in both caſes: and this reaſon is final.

America is, in another point of view, like

like a young man growing up into his ſtrength. By good diſcipline and careful management; he becomes an honour, an ornament, and an addition of ſtrength and ſecurity to his family. By being neglected and permitted to follow every humour, and indulge every paſſion, without controul; he looſes his natural, ſocial and filial affections; conſiders himſelf as the ſole and only object of his concern; gives vent to every froward paſſion, and promotes his own ſingle and partial intereſt, in oppoſition to every generous, laudable, and public conſideration; and becomes, at length, the ſhame, the ſcourge, perhaps, the ruin of his family.

Here, let us drop the curtain. In a future time, more diſpaſſionate judges than thoſe of this day, will pronounce deciſſively upon the preſent drama, and the preſent actors: and the felicity, or misfortune of Great Britain, attending upon the ſequel of the piece, will procure to them in another age, immortal honour: or, eternal diſgrace.

I am, Sir, &c.